

**Minutes of the Judiciary and Law Enforcement Committee
October 1, 2010**

Chair Jean Tortomasi called the meeting to order at 8:30 a.m.

Committee Members Present: County Board Supervisors Jean Tortomasi (Chair), Dave Falstad, Kathleen Cummings, Paul Decker, Steve Wimmer, Bill Zaborowski, Peter Wolff, County Board Chairman Jim Dwyer.

Also Present: Chief of Staff Mark Mader, Legislative Policy Advisor Sarah Spaeth, Legislative Associate Karen Phillips, Emergency Preparedness Director Richard Tuma, Training and Operations Manager Sherri Stigler, Program Assistant Kathy Schwei, Radio Services Administrator Chris Petterson, Clerk of Courts Kathleen Madden, Business Manager Bob Snow, Chief Judge Mac Davis, Sheriff Dan Trawicki, Business Manager Lyndsay Johnson, Inspector Steve Marks, Jail Administrator Mike Giese, Detective Terry Tesch, Deputy Bob Dorn, District Attorney Brad Schimel, Senior Financial Analyst Vince Masterson, Office Services Coordinator Danni Danielski, Victim Witness Coordinator Jen Dunn, Medical Examiner Dr. Lynda Biedrzycki.

Approve Minutes of September 17, 2010

MOTION: Zaborowski moved, second by Falstad, to approve the minutes of September 17, 2010.
Motion carried 5-0.

Future Meeting Date

- October 15, 2010

Discuss and Consider the 2011 Circuit Court Services Operating Budget

Madden, Snow and Davis were present to review the 2011 Circuit Court Services operating budget. Madden began with a review of the Circuit Court Services General Fund - Financial and Position Summaries as outlined on page 88 of the County Executive's proposed 2011 budget. The overall budget has not changed notably over the 2010 budget. In an effort to hold increases down, staff reductions include a .50 FTE clerk typist in the Criminal Traffic Division, .50 FTE clerk typist in the Juvenile Court Division, and .50 FTE court reporter in the Court Commissioner's Office. She discussed efficiencies and improvements in technology that have enabled them to do more with less staff.

Madden continued with a brief review of pages 89-99 of the proposed 2011 budget, focusing on notable changes and efforts to improve services and efficiencies.

- Major Departmental Strategic Outcomes and Objectives for 2011 and Activities Chart
- Clerk of Courts – Administrative Services Division
- Clerk of Courts – Criminal and Traffic Division
- Clerk of Courts – Family Division
- Clerk of Courts – Civil Division
- Juvenile Court
- Family Court Services
- Court Commissioners
- Register in Probate

In the Clerk of Courts - Family Division, Madden noted the effectiveness of group seminars replacing individual appointments in the Self-Help Center. In the Civil Division, there has been a dramatic increase in foreclosure filings and a spike in large claim filings, while small claims are holding steady. Using civilian bailiffs in place of sheriff deputies to provide juror assistance provides additional cost savings; however, sworn deputies will continue to provide security services within the courts. The Juvenile Division has experienced a slight decrease in cases, but an increase in juvenile ordinance violations. Snow noted the change in the public defender

indigency threshold (effective July 2011), could have an impact though the proposed budget does not reflect the change.

At Tortomasi's request, Madden provided an update of the Courtroom Technology capital project. Madden stated the RFP is currently being reworked and they hope to have a vendor in place in December. The plan is to install equipment in two courtrooms, as a pilot program, in the first quarter of 2011. This method will provide an opportunity to test and tweak the equipment and set-up before moving forward with installation in the other courtrooms.

MOTION: Wolff moved, second by Zaborowski, to tentatively approve the 2011 Operating budget for Circuit Court Services. Motion carried 5-0.

The meeting recessed at 9:40 a.m.; Dwyer left the meeting; Decker was present as the meeting reconvened at 10:30 a.m.

Public Comment

Dorn and Tesch were present to observe the presentation of the Sheriff's Department Operating budget and introduced themselves to the Committee. The committee members reciprocated with self-introductions.

Discuss and Consider the 2011 Sheriff's Department Operating Budget

Trawicki, Johnson, Marks, and Giese were present to review the 2011 operating budget for the Sheriff's Department.

Trawicki began with a general overview of the highlights of the proposed budget, including the following:

- Fulltime positions increase of 3.12 FTE to meet additional staffing needs for the secure corridor and the expansion of the Village of Sussex patrol contract.
- Equipment replacement/upgrades in the jail.
- Additional drug prosecutor position (federally funded through the ARRA through 2012) for the Metro Drug Unit, in association with the District Attorney's Office.
- Village of Sussex and City of Pewaukee contract expansions.

Zaborowski asked how the Pewaukee contract is working out. Trawicki stated it is working exceptionally well, and credited staff for its success.

Trawicki provided an update on the jail population as of today: 407 jail inmates, 181 in Huber, 19 on electronic monitoring and 52 federal inmates.

Johnson provided a detailed review of the Financial Summary as outlined on page 108 of the 2011 County Executive's proposed budget, focusing on changes in the revenues and expenditures categories.

Trawicki offered additional insight on issues and legalities related to the fees charged for municipal holds (currently \$13 per day). He also elaborated on the increasing costs of inmate healthcare. Trawicki further discussed the increase in use of inmates for various work assignments, for which inmates receive an hour for hour reduction in sentence. In 2010, an estimated 160 jail days and associated costs of \$41,000 have been saved as a result. Giese provided more information on the types of inmate work assignments coordinated with Departments of Public Works and Parks and Land Use.

Trawicki stated that the Outcomes and Objectives for 2011(pages 109-110) are basically the same as previous years, with two exceptions:

- Objective 5: The Sheriff's Department, the Department of Public Works and the Parks and Land Use Department will expand the Huber Workforce Initiative.

- Objective 6: The CJCC and Sheriff's Department will cooperate with an expansion of the Day Report Center Program. Trawicki noted that in order to facilitate this objective, the number of offenders on electronic monitoring would need to increase from 19 (current) to about 100. Trawicki maintained he does not largely support electronic monitoring in many cases, but recognizes it does have its place. Tortomasi added that she supports the Sheriff in his efforts to maintain a higher standard of criteria for electronic monitoring eligibility.

Tortomasi left at 11:24 a.m.

Wolff asked the Committee if there were any further questions regarding any of the programs within the Sheriff's budget. Zaborowski asked for an explanation of the DARE Program. Trawicki explained the background of the DARE Program and reviewed the information as outlined (page 112).

Mader brought up the issue of an increased use of civilian bailiffs in the Courts - Civil Division. Wolff asked whether the change would justify a cut in a deputy position in the future. Trawicki stated it would not, as judges are increasingly asking for more security in the criminal and juvenile courts, adding he will not support the use of civilian bailiffs in place of sworn deputies in those instances.

Mader drew attention to the addition of the Fee Schedule on (page 121) for informational purposes. Trawicki noted a new fee added in 2011, a five dollar charge for each background check.

MOTION: Falstad moved, second by Wolff to tentatively approve the 2011 Operating budget for the Sheriff's Department. Motion carried 5-0

The committee recessed at 11:35 a.m. and reconvened at 1:03 p.m.

Discuss and Consider the 2011 Department of Emergency Preparedness Operating Budget

Tuma, Petterson, Schwei and Stigler and were present to discuss the proposed 2011 operating budget for the Department of Emergency Preparedness as outlined on pages 64-76.

Cummings arrived at 1:05 p.m. and Decker arrived at 1:07 p.m.

Tuma began with an overview of the Statement of Purpose of the Department of Emergency Preparedness, noting the multi-faceted duties, responsibilities and vital services provided by its three divisions: Communications Center, Emergency Management and Radio Services. He continued with a review of the General Fund budget (pages 64-65). In 2011, reliance on fund balance is being reduced by \$94,000 (16.5%), a trend that will continue in future years until dependence on fund balance is eliminated. There is a 2.9% increase in County tax levy to supplement the budget. Of the appropriated fund balance, \$105,750 is budgeted to address significant cost impacts of the Association of Public Safety Communications Officials International (APCO) study recommendations, the purchase of replacement batteries for the UPS (uninterruptible power supply), additional Zetron paging equipment, and dispatcher chairs. There is a \$50,000 reduction in overtime for the costs related to training for the new CAD system (if 2010 appropriations are not used by year-end, a carryover request will be made). Tuma noted overtime this year has been reduced by 70% over the previous year due to some initiatives taken, including better testing methods which have resulted in less turnover of employees and shortened training time.

Stigler reviewed objectives 1 through 3 (page 66) relating to measurement of performance standards in the Communications Center operations.

Schwei reviewed objective 4, during which she discussed the various tabletop and training exercises held simulating a variety of disaster situations.

Wolff left at 1:25 p.m.

During Schwei's discussion of objective 5 (hazardous materials management), Cummings asked if there had been any success in obtaining any foam equipment/vehicle for potential airport emergencies. Schwei stated that the funding of that type of rapid response vehicle, at a cost of about \$400,000, has been a problematic issue. Funding was pursued through UASI but the request did not meet their criteria.

Falstad arrived at 1:30 p.m.

Following Tuma's review of Objective 6 (relating to the creation of a cross functional workgroup to evaluate the current Business Continuity software), Cummings inquired whether this objective was created by the department or by the County Executive. Tuma stated it was a consensus.

Tuma also discussed the creation of a cooperative pilot program in which the Department of Emergency Preparedness and the Register of Deeds (ROD) will share the ROD Programs and Projects Analyst Position (objective 7). Reallocation of this position's funding will not occur until the 2012 budget to allow time for evaluation of the required division of work for this position.

Tuma briefly reviewed the current and proposed capital projects as outlined.

Tuma continued with a review of the Communications Center Operations (pages 68-69); Schwei reviewed the Disaster Management Program and Hazardous Materials Management (page 70-71); Petterson reviewed the Radio Services Fund, including Trunked Radio Operations, Equipment Replacement – Trunk Radios, and Conventional Radio Services Operation (pages 74-76). Tuma credited Radio Services staff for bringing in additional revenues by providing services to other municipalities, including the City and County of Milwaukee. Staff has earned an excellent reputation for the exceptional work they perform. Petterson discussed the interoperability of the radio system, which includes the Flight for Life talk group that is used extensively for communications in coordinating landing zones. Tuma added that the Communications Center serves as a back-up location for Flight for Life operations should their home base at the Airport become unavailable. Cummings noted perhaps this important partnership should be mentioned under Program Highlights on page 76. Mader advised that Cummings' suggestion be referred to Department of Administration staff to determine whether such a technical revision would be appropriate.

MOTION: Zaborowski moved, second by Wimmer, to tentatively approve the 2011 Operating budget for the Department of Emergency Preparedness.
Motion carried 5-0.

Cummings thanked Tuma and staff for their service and informative presentation.

Discuss and Consider the 2011 District Attorney's Office Operating Budget

Schimel, Dunn and Danielski were present to review the proposed 2011 operating budget for the District Attorney's Office, as outlined on pages 78-84.

Wolff returned at 2:17 p.m.

Schimel reviewed the General Fund - Financial Summary as outlined, highlighting any notable changes from the 2010 adopted budget. The 124% change under Interdepartmental Revenue reflects the pass-through for the Department of Justice Byrne grant administered by the Sheriff's Department; an \$85,000 revenue increase corresponds to an \$85,000 increase in operating expenditures for an additional drug prosecutor position. The 12.5% change in Other Revenue reflects the increase in bail forfeiture recoveries received. A 29% increase under Appropriated Fund Balance was achieved through the elimination of the document imaging backlog. A 0.73 FTE reduction resulted from efficiencies realized through reevaluation of staffing assignments after a vacancy due to a retirement. Schimel continued with a brief overview of the program highlights for Prosecution/Administrative Services.

Schimmel announced that the variable Victim /Witness state reimbursement rate rose recently to 59%, up from 54%. He stated that Dunn continues to operate the department at the same level of staffing as 13 years ago. Dunn reviewed the Victim/Witness Program as outlined, noting that the County tax levy for this program has gone down 2.5%. Personnel costs increase for the cost to continue 7.50 FTE staff. Operating expenses comprise only 2% of the budget; the remainder is allocated for personnel costs. Grant resources fully fund the 1.85 FTE positions allocated to the VOCA Program, including a homicide specialist and crisis response staff. Dunn noted that the Victim/ Witness and VOCA Programs continue to utilize a significant amount of volunteers and interns. Cummings suggested that the volunteer hours be validated in the budget.

MOTION: Wolf moved, second by Decker, to tentatively approve the 2011 Operating budget for the District Attorney's Office.

Motion carried 6-0.

Cummings thanked Schimmel and staff for their presentation.

Discuss and Consider the 2011 Medical Examiner Operating Budget

Biedrzycki was present to review the 2011 operating budget for the Medical Examiner's Office. She distributed handouts outlining budget highlights, noting it is a cost-to-continue budget with no new initiatives. The capital project has been completed; however, they are still working through the problematic issues with the cooler doors. The County tax levy amount is decreasing associated with higher revenues generated from more permits, the tissue contract, and autopsy contracts. Efficiencies have been achieved through technological advances related to electronic records and interagency collaborations.

Biedrzycki distributed and reviewed handouts containing caseload and financial statistics for the Medical Examiner's Office. The strategic outcomes and objectives for 2011 were reviewed as outlined.

In closing, Biedrzycki discussed some of the challenges facing the Medical Examiner's Office in the future. She explained current efforts being made in the identification of unknown remains and the time and costs involved. She noted that general staffing is becoming an issue and adding another position will be considered to meet the growing needs of day-to-day operations.

MOTION: Cummings moved, second by Wimmer, to tentatively approve the 2011 Operating budget for the Medical Examiner's Office.

Motion carried 6-0.

Wolff thanked Biedrzycki for her presentation.

MOTION: Cummings moved, second by Zaborowski, to adjourn at 3:15 p.m.

Motion carried 6-0.

Respectfully submitted,

Kathleen M. Cummings
Secretary